

517.502 Procedures.

(a) *General.*

(1) GSA provides interagency acquisition (IA) services to support the mission of federal agencies, foster competition and use of economies of scale, and provide options for agencies to meet their administrative and procurement needs.

(2) The Office of Acquisition Policy maintains tools and resources for the acquisition workforce on the GSA Acquisition Portal (<http://insite.gsa.gov/interagencyacquisition>).

(b) *Cut-Off Dates.*

(1) Heads of Contracting Activities shall devise and publicize cut-off dates to accept interagency acquisitions for their respective organization(s) in support of this subpart. The decision to accept funds near the end of the fiscal year must be determined on a case-by-case basis taking into consideration the following at a minimum:

- (i) funding agency assurance that the funds are current;
- (ii) understanding of the type of funds (*e.g.* one-year, multi-year, no-year);
- (iii) time required for GSA to properly obligate the funds; and
- (iv) confirmation that the customer has submitted a “bona fide needs” statement.

(2) Cut-off dates do not apply when accepting no-year funds. Cutoff dates do not apply to multi-year funds not near expiration.

(3) Once accepted, GSA must expeditiously and diligently begin work on all IAs it accepts.

(c) *Reasonable Time.*

(1) Policy. When establishing interagency agreements, contracting activities must obligate funds in a reasonable time.

(2) Definition. A reasonable time is considered to be 90 calendar days unless otherwise established in the interagency agreement. Contracting activities must examine with particular care if the 90 calendar day acquisition lead time can be achieved by:

- (i) using an existing contract or task/delivery order which can be awarded or modified expeditiously to meet the customer/funding agency’s requirement; and
- (ii) validating that the customer-specific fiscal policy attached to the funds (*e.g.*, DoD 7000.14-R Financial Management Regulation Volume 11A Chapter 18) does not have any applicable restrictions which would prevent the use of 90 calendar days as a “reasonable time”.

(3) Criteria for establishing “reasonable time”. For IAs in which the contracting activity has determined the “reasonable time” to be in excess of 90 calendar days, the contracting officers must:

- (i) ensure that the “reasonable time” is mutually agreed upon and documented between the customer/funding agency and the GSA contracting activity at the time funds are accepted (*e.g.*,

in the case of a DoD customer, signing DD Form 448-2, "Acceptance of MIPR"; for RWAs, date specified on GSA Form 2957, box 30B);

(ii) ensure that the customer-specific fiscal policy restrictions are adhered to (*e.g.*, DoD 7000.14-R Financial Management Regulation Volume 11A Chapter 18); and

(iii) document the rationale for establishing a "reasonable time" which is in excess of 90 calendar days.

(d) *Periodic Reviews*. Contracting officers must review all IA obligations for goods or services that have been ordered but not yet received (undelivered orders/unfilled customer orders) at fiscal year-end. Generally speaking, if the IA is for goods or services that were not delivered within the funds period of availability, the funds must be deobligated and current funds used, unless the goods could not be delivered because of delivery, production or manufacturing lead time, or unforeseen delays that are out of the control and not previously contemplated by the contracting parties at the time of contracting.

(e) *Order of Precedence*. Any inconsistency in the applicability of customer agency and GSA policy shall be resolved by giving precedence in the following order when the customer agency's policy is more restrictive, less restrictive or based on program authority specific to the customer.

(1) *The funding agency has a more restrictive policy than GSA*. When the customer agency's policy is more restrictive than GSA's policy, the contracting officer shall follow the more restrictive policy.

(2) *Higher dollar authority*. When the customer agency's policy is less restrictive than GSA's policy, the contracting officer has discretion on which policy to follow. However, the contracting officer must consult with Service-level acquisition management (*e.g.*, FAS OPC, PBS OAM) and OGC if following the Page 6 of 6 less restrictive policy to ensure GSA has adequate controls in place and has the authority to utilize the less restrictive policy.

(3) *Streamlined approach*. In some circumstances funding agencies require less documentation for certain acquisition actions.

(4) *Specialty program authority*. A number of agencies have authorities which GSA does not have. GSA cannot use a customer agency's given program authority (*e.g.*, Other Transaction Authority (OTA)) unless the authority is specifically delegated to GSA. If the contracting officer determines that the specialty program authority, not delegated to GSA formally, should be considered for use in an IA action, prepare an exception request for approval by the Senior Procurement Executive.

- **517.502-70 Information Technology Procurements.**

Parent topic: Subpart 517.5 - Interagency Acquisitions